

TURRO EXHIBIT NO. 13

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STEVEN R. ROTHMAN
9TH DISTRICT, NEW JERSEY

1607 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-5061
FAX (202) 225-5851

DISTRICT OFFICES:

25 MAIN STREET
COURT PLAZA
HACKENSACK, NJ 07601-7089
(201) 646-0808
FAX (201) 646-1944

130 CENTRAL AVENUE
JERSEY CITY, NJ 07306-2118
(201) 798-1366
FAX (201) 798-1725

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CRIME

COMMITTEE ON
INTERNATIONAL RELATIONS
SUBCOMMITTEE ON INTERNATIONAL
ECONOMIC POLICY AND TRADE

E-MAIL:
steven.rothman@mail.house.gov

WEB SITE:
<http://www.house.gov/rothman>

November 6, 1997

To Whom It May Concern:

I write this letter on behalf of the families in my district who benefit from Jukebox Radio.

Radio stations in our communities provide an invaluable service to our nation. Before Jukebox Radio, Bergen County did not have an FM radio station to broadcast essential information. For 825,000 residents in Bergen County, the creation of Jukebox Radio made a tremendous difference to the public interest of our community. Bergen County residents rely on Jukebox Radio for news, community announcements, weather, traffic, and emergency information. Jukebox Radio is an important part of the 911 system that facilitates county-wide communication in emergency situations. Additionally, Jukebox Radio plays upbeat big band music that is enjoyed by many listeners on a daily basis.

Along with these services, Jukebox Radio provides a marketplace for Bergen County families, especially seniors and businesses. Through advertising and special events, Jukebox Radio promotes local businesses, thereby energizing the local economy, and creating a greater sense of community.

As the only FM station in Bergen County, Jukebox Radio has become a reliable voice for my constituents. On many occasions, the people of Bergen County have expressed to me their appreciation and respect for Jukebox Radio. Renewing the license of Jukebox Radio would serve both public interest and keep an important broadcast service in our community. Specifically, the licenses of W276AQ, Fort Lee, and W232AL, Pomona, need to be renewed. Failure to renew these licenses would be a tremendous detriment to our community.

I join other community leaders in expressing the necessity for continued service by Bergen County's only FM station, Jukebox Radio.

Sincerely,



STEVEN R. ROTHMAN
Member of Congress

TURRO EXHIBIT NO. 14



COUNTY OF BERGEN

Administration Building • Court Plaza South • 21 Main St. • Room 300E • Hackensack, N.J. 07601-7000
(201) 646-3630

William P. Schuber
County Executive

November 3, 1997

The Honorable Judge Steinberg
Federal Communications Commission
1919 "M" Street, Northwest
Washington, D.C. 20554

Dear Judge Steinberg:

I am writing this letter to you on behalf of the 825,000 residents who live in Bergen County.

Until Jukebox Radio came to Bergen County, we were one of the most populated counties in the country without our own 24 hour FM voice.

As the Chief Executive of this county, I am writing this letter to you so that you are aware how important this FM facility is to our community.

Jukebox Radio offers services to our community that are not available to us via any other FM outlet in the area. Besides traffic, weather, news, public services announcements, and the like, Jukebox Radio is an important part of our 911 system. The loss of this service would be a detriment to our community.

Jukebox Radio not only provides an invaluable broadcast service to Bergen, it also employs 20 individuals who live in this county, it would be unfair and unfortunate if these dedicated employees were to lose their jobs.

One of the decisions you are in a position to consider is whether or not it is in the public interest to renew the license of the translators which provide this service. I assure you that it most definitely would create a void and the loss of this service could never be filled.

On behalf of our community I hope you see fit to renew the licenses of W276AQ, Fort Lee, and W232A1, Pomona.

Sincerely,

A handwritten signature in dark ink, appearing to read "Pat Schuber", is written over the typed name.

William "Pat" Schuber
Bergen County Executive

TURRO EXHIBIT NO. 15



1997

BERGEN COUNTY BOARD OF CHOSEN FREEHOLDERS RESOLUTION

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CALIGUIRE	/			
CASSANO	/			
CHADWICK	/			
KELLY				/
MOLA	/			
VAN DYKE	/			
SHEEHAN, CHRM.	/			
TOTALS	6	-	-	1

Offered by: Van Dyke
Seconded by: Mola
Approved by: MF

Resolution No. 1862
Date: 11-5-97
Page 1 of 1

Subject: WJUX Radio

Purpose:
to urge Judge Steinberg to renew licenses to
operate

Account No. _____

Contract No. _____

Dollar Amount: _____

Certified as a true copy of a Resolution adopted by the Board of Chosen
Freeholders on above date at a Regular Meeting by:

Dolores Salzig, Clerk, Board of Chosen Freeholders, Bergen County, New Jersey

WHEREAS Bergen County is one of the most populated counties in the country without an allocated commercial FM service; and

WHEREAS Bergen County gave birth to FM radio in the 1930s from Alpine, New Jersey; and

WHEREAS the Federal Communications Commission has not allocated a commercial FM allocation to Bergen County; and

WHEREAS the only means for commercial FM service in Bergen County is through FM translator service; and

WHEREAS our residents have come to expect and respect the service provided by these translators; and

WHEREAS FM translators W276AQ and W232AL have filled an important void in our county with news, weather, traffic reports, school closings, community events notices, a direct link with the Bergen County Office of Emergency Management to aid our citizens during life threatening emergencies, and entertainment not found anywhere on the FM band; and

WHEREAS these translators are part of our county-wide 911 system, and no other radio outlet has offered to be part of this life-saving system; and

WHEREAS the Federal Communications Commission has designated for hearing the licenses of W232AL and W276AQ; and

WHEREAS Judge Steinberg must consider whether the renewal of these licenses is in the public interest; and

WHEREAS the renewal of these licenses is without question in the public interest;

NOW THEREFORE BE IT RESOLVED that the Bergen County Board of Chosen Freeholders hereby conveys to Judge Steinberg the vital importance of the renewal of the licenses of translators W276AQ and W232AL, and that his favorable action would be in the public interest, safety and convenience.

TURRO EXHIBIT NO. 16



Share Our Strength's
**TASTE of
the NATION**
Northeast New Jersey
Bergen, Hudson & Passaic Counties

Judge Steinberg
FCC
Washington, DC

November 3, 1997

Dear Judge Steinberg,

As Chairperson of Northeast New Jersey Share Our Strength, I am writing to tell you of the invaluable support we receive from Jukebox Radio. Over the past three years Northeast New Jersey's Share Our Strength has grown from a small fund-raising effort for local hunger relief to the fourth highest revenue producing SOS area in the country. Our growth and success have been possible only because of the tremendous support we receive from local corporate sponsors.

Having been one of our partners from the very beginning, Jukebox Radio is probably the single, most committed corporate sponsor at our table. They have donated hundreds of volunteer hours and invaluable on-air time in support of our programs.

We believe our efforts are vital to this community. With the help of partners like Jukebox Radio we have made dinner and dignity possible for thousands in our community.

Sincerely,

Claire Insalata Poulos
Chairperson

It Takes More Than Food To Fight Hunger

P.O. Box 1051 Englewood Cliffs, New Jersey 07632 Telephone (201) 871-1070 • Fax (201) 894-8128

TURRO EXHIBIT NO. 17



COUNTY OF BERGEN, NEW JERSEY
OFFICE OF THE MAYOR AND COUNCIL

MAYOR
DONALD E. WINANT

COUNCIL
GARY HEMMER, COUNCIL PRESIDENT
PHILIP J. FREDERICKS
KEVIN GYNEGROWSKI
MICHAEL LICAMELI
THOMAS A. MANNO
EDWIN G. ORR

50 WASHINGTON AVE. • DUMONT, NJ 07628
TELEPHONE 201-387-5022
FASCIMILE 201-387-5065

August 27, 1997

Ms. Ginny Kondrat
Sales Manager
JUKEBOX RADIO
75 Second Street
Dumont, NJ 07628
Tel: 201-439-1031
Fax: 201-439-0033

Dear Ginny:

Thank you for the generous promotional air-play you have given Dumont for our Summer Concert Series. Your station is well regarded, respected, and enjoyed by all of Bergen County and we are privileged to be announced by Jukebox.

In case you are not able to make it to Thursday night's Concert, I am enclosing some commemorative hats celebrating the event for you and your staff.

I look forward to a long and mutually beneficial relationship between your Station and our community. Again, thank you for your assistance.

Very truly yours,

Michael A. Licameli
Councilman

TURRO EXHIBIT NO. 18

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18

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re)	
)	
GERARD A. TURRO)	MM Docket No. 97-122
)	
For Renewal of Licence)	File Nos. BRFT-970129YC
For FM Translator Stations)	BRFT-970129YD
W276AQ(FM), Fort Lee, NJ, and)	
W232AL(FM), Pomona, NY)	
)	
MONTICELLO MOUNTAINTOP)	
BROADCASTING, INC.)	
)	
Order to Show Cause Why the)	
Construction Permit for FM Radio)	
Station WJUX(FM), Monticello, NY,)	
Should Not Be Revoked)	

**FIRST SET OF INTERROGATORIES OF
GERARD A. TURRO TO MASS MEDIA BUREAU**

Gerard A. Turro, by his attorneys, pursuant to Sections 1.311 and 1.323 of the Commission's rules, hereby submits his first set of written interrogatories to the Mass Media Bureau ("Bureau") of the Federal Communications Commission ("FCC") in the above-captioned proceeding.

INSTRUCTIONS

- A. Each interrogatory shall be deemed continuing in nature. The Bureau should update or revise, and otherwise keep current, any substantial and material information provided in answer to these interrogatories as facts or circumstances become known or change.
- B. The Bureau is requested to answer each interrogatory fully and completely. Where any

interrogatory asks for information about documents, the Bureau should fully describe each document identified, including the name of the document, its date, its author(s), the name(s) of the person(s) to whom it was addressed or delivered, its present location, and the name and address of the person(s) having custody of the document. In lieu of describing a document, a copy of the document may be provided. In the event that there existed at any time a document about which information is requested in these interrogatories and which no longer is in existence or cannot be found, this fact also should be provided accompanied with an explanation as to why it is no longer in existence or cannot be found. For each such document, identify its last known location and its last known custodian.

C. Each interrogatory shall be answered under oath or penalty of perjury by a principal, officer, agent or other person with relevant knowledge and authority to act for the Bureau.

D. "Document," for the purposes of these interrogatories, means the original and any nonidentical copy, and/or amendment thereof, of any letter, memorandum report, handwritten note, working paper, summary of data compilation sheet, interview report, record, bill, receipt, canceled check, order, audio, data and/or video, and/or electromagnetic, and/or optical, and/or tape recording, or any other handwritten, typed printed or graphic materials to which the Bureau or any of its agents or representatives have access. To the extent that any documents, or copies thereof, reside in or on any computer or other data system, such documents may be provided in paper form or in an electromagnetic form in a mutually agreeable format.

E. With respect to any document about which information is requested in these interrogatories and for which a claim of privilege is asserted, provide the date, type of document, author, addressee(s), general subject matter, the basis for the claim of privilege and the

interrogatory number to which the document identification is responsive.

F. "Person," for the purposes of these interrogatories, means any legal or natural entity, including but not limited to corporations, partnerships, associations, firms, and their subsidiaries, principals, officers, directors, employees, subcontractors, agents and attorneys, persons, groups, collectives, cooperatives, governments and their subparts, including bureaus, offices, agencies, departments, branches, divisions, sections, boards, and commissions.

G. "Describe," for purposes of these interrogatories, means provide all information with respect to the data, rate, financial report, effects, consequences, information, person, matter, question or document inquired about, including its basis, location, origin, foundation and purpose.

H. "Identify," for purposes of these interrogatories, with respect to any document, shall mean to state its author and addressees, the type of document, including but not limited to report, computer generated output, letter, memorandum, etc., the date on which it was sent or transmitted and/or prepared, and its last known custodian and/or location.

I. The phrase "relating to," for purposes of these interrogatories, shall mean constituting, referring to, reflecting, describing, discussing, embodying, modifying, amending, altering, concerning, in connection with, or expanding upon.

J. "Proceeding," for purposes of these interrogatories, shall mean the FCC's MM Docket No. 97-122, File No. BRFT-970129YC, File No. BRFT-970129YD, Hearing Designation Order, Order to Show Cause and Notice of Opportunity for Hearing, FCC 97-137 (released April 18, 1997) ("HDO"), and all matters referred to therein, including matters which preceded issuance of the HDO and initiation of MM Docket No. 97-122, File No. BRFT-970129YC and File No.

BRFT-970129YD, including but not limited to any complaints or investigations concerning Mr. Turro and/or the broadcast stations of which he is the licensee.

INTERROGATORIES

1. Describe and identify all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W276AQ, Fort Lee, New Jersey, was in violation of Section 74.531 of the Commission's Rules (47 CFR Section 74.531).

2. Identify and describe all documents relating to your response to Interrogatory No. 1, or in the alternative, provide access to such documents for copying.

3. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 1.

4. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 1.

5. Describe and identify all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W232AL, Pomona, New York, was in violation of Section 74.531 of the Commission's Rules (47 CFR Section 74.531).

6. Identify and describe all documents relating to your response to Interrogatory No. 5, or in the alternative, provide access to such documents for copying.

7. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 5.

8. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 5.

9. Identify and describe all technical analyzes of which you are aware relating to the

operations of FM translator stations W276AQ, Fort Lee, New Jersey, and W232AL, Pomona, New York.

10. Describe and identify all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W276AQ, Fort Lee, New Jersey, was in violation of Section 74.1231 of the Commission's Rules (47 CFR Section 74.1231).

11. Identify and describe all documents relating to your response to Interrogatory No. 10, or in the alternative, provide access to such documents for copying.

12. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 10.

13. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 10.

14. Describe and identify all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W232AL, Pomona, New York, was in violation of Section 74.1231 of the Commission's Rules (47 CFR Section 74.1231).

15. Identify and describe all documents relating to your response to Interrogatory No. 14, or in the alternative, provide access to such documents for copying.

16. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 14.

17. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 14.

18. Describe and identify all information known to you relating to the allegation in the Proceeding that Mr. Turro engaged in an unauthorized transfer of control, or otherwise exercised

and/or continues to exercise *de facto* control over WJUX(FM), Monticello, New York, in violation of Section 310(d) of the Communications Act of 1934, as amended, and Section 73.3540(a) of the Commission's Rules.

19. Identify and describe all documents relating to your response to Interrogatory No. 18, or in the alternative, provide access to such documents for copying.

20. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 18.

21. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 18.

22. Describe and identify all information known to you relating to the allegation in the Proceeding that Mr. Turro misrepresented and/or lacked candor to the Commission concerning the operation of translator station W276AQ, Fort Lee, New Jersey.

23. Identify and describe all documents relating to your response to Interrogatory No. 22, or in the alternative, provide access to such documents for copying.

24. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 22.

25. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 22.

26. Describe and identify all information relating to the allegation in the Proceeding that Mr. Turro misrepresented and/or lacked candor to the Commission concerning the operation of translator station W232AL, Pomona, New York.

27. Identify and describe all documents relating to your response to Interrogatory No. 26,

or in the alternative, provide access to such documents for copying.

28. Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 26.

29. Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 26.

30. Identify the inspector referred to in the HDO.

31. Describe the investigation conducted by the inspector referred to in the HDO and all information obtained.

32. Describe and identify all documents relating to the investigation referred to in the HDO.

33. Identify all persons, other than members of the Commission's staff, from whom the inspector referred to in the HDO obtained any information relating to the Proceeding.

34. For each person identified in Interrogatory No. 33, describe the information obtained relating to the Proceeding.

35. Identify and describe all documents relating to your response to Interrogatory No. 33, or in the alternative, provide access to such documents for copying.

36. Identify all witnesses who may offer testimony you intend to rely on in any portion of the Proceeding for any purpose.

37. Describe all testimony identified in Interrogatory No. 36.

38. Describe and identify all documents relating to your responses to Interrogatory Nos. 36 and 37, or in the alternative, make them available for copying.

39. Describe the circumstances and identify the information relating to the decision by

the Bureau, or any other part of the FCC, to cause the inspector referred to in the HDO to conduct the investigation in the Proceeding.

40. Describe all actions taken to conduct the investigation referred to in the HDO.

41 Identify and describe, or in the alternative provide access for copying, all documents relating to the investigation referred to in the HDO.

42. Identify all staff members of the FCC other than the inspector referred to in the HDO who have knowledge of the investigation referred to in the HDO.

43. Describe and identify all communications, either oral or written, between the FCC, and any members of its staff, and Universal Broadcasting of New York, Inc., and/or any representative of Universal Broadcasting of New York, Inc., relating to the Proceeding.

Respectfully submitted,

GERARD A. TURRO

By: /s/ Alan Y. Naftalin
/s/ Alan Y. Naftalin

By: /s/ Charles R. Naftalin
/s/ Charles R. Naftalin

Koteen & Naftalin, L.L.P.
1150 Connecticut Avenue, N.W.
Washington, DC 20036
(202) 467-5700

May 23, 1997

His Attorneys

CERTIFICATE OF SERVICE

I, Barbara Frank, a secretary in the law offices of Koteen & Naftalin, L.L.P., hereby certify that true copies of the foregoing "FIRST SET OF INTERROGATORIES OF GERARD A TURRO TO MASS MEDIA BUREAU" have been served upon the following by first-class United States mail, postage prepaid, this 23rd day of May 1997:

* The Honorable Arthur I. Steinberg
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 228
Washington, D.C. 20554

* Alan Aronowitz, Esq.
Hearing Branch
Enforcement Division
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554

* Stephen Barone
Complaints and Investigations Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8210
Washington, D.C. 20554

James P. Riley, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street
11th Floor
Rosslyn, VA 22209

Roy R. Russo, Esq.
Richard A. Helmick, Esq.
Cohn and Marks
1333 New Hampshire Avenue
Suite 600
Washington, D.C. 200036

/s/ Barbara Frank
Barbara Frank

^{2/} By Hand Delivery

TURRO EXHIBIT NO. 19

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19

*Turro Hearing Block
" 6/6/97 Bureau 1st Answer
to Turro "*

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re)	
)	
GERARD A. TURRO)	MM Docket No. 97-122
)	
For Renewal of License)	File Nos. BRFT-970129YC
for FM Translator Stations)	BRFT-970129YD
)	
)	
W276AQ(FM), Fort Lee, NJ, and)	
W232AL(FM), Pomona, NY)	
)	
MONTICELLO MOUNTAINTOP)	
BROADCASTING, INC.)	
)	
Order to Show Cause Why the Construction)	
Permit for FM Radio Station WJUX(FM),)	
Monticello, NY, Should Not Be Revoked)	

MASS MEDIA BUREAU'S ANSWERS TO INTERROGATORIES

OF GERARD A. TURRO

On May 23, 1997, Gerard A. Turro (Turro), by his attorneys, submitted interrogatories to the Mass Media Bureau (Bureau). Pursuant to Section 1.323 of the Commission's Rules, the Bureau provides the following answers to Turro's interrogatories.

Interrogatory 1: Describe and identify all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W276AQ, Fort Lee, New Jersey, was in violation of Section 74.531 of the Commission's Rules (47 CFR Section 74.531).

Answer: The information known to the Bureau relating to the allegation that Mr. Turro's operation of translator station W276AQ, Fort Lee, New Jersey, was in violation of Section 74.531 of the Commission's Rules is set out in the HDO. The information was obtained from the following sources: the complaint filed by Universal on February 15, 1995 (Universal's Complaint); the inspection conducted by Serge Loginow, Jr., (Loginow) an FCC field engineer, who conducted an inspection of the translator; Turro's response dated July 28, 1995, to the Bureau's letter of inquiry dated June 21, 1995 (Turro's Response); statements prepared by Vincent Luna (Luna) and William Gaghan (Gaghan), former employees of Turro.

Interrogatory 2: Identify and describe all documents relating to your response to Interrogatory No. 1, or in the alternative, provide access to such documents for copying.

Answer: The relevant documents are Universal's Complaint, Turro's Response, and statements provided by Luna, dated August 9, 1995, and Gaghan, dated August 10, 1995.

Interrogatory 3: Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 1.

Answer: Loginow is the only member of the FCC staff that has personal knowledge relating to our answer to Interrogatory No. 1.

Interrogatory 4: Identify all persons who are not members of the Commission's staff known to you to have information relating to your response to Interrogatory No. 1.

Answer: Turro, Weis, Luna, and Gaghan

Interrogatory 5: Describe and identify all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W232AL, Pomona, New York, was in violation of Section 74.531 of the Commission's Rules (47 CFR Section 74.531).

Answer: The information known to the Bureau relating to the allegation that Mr. Turro's operation of translator station W232AL, Pomona, New York was in violation of Section 74.531 of the Commission's Rules is set out in the HDO. The information was obtained from Universal's Complaint and Turro's Response.

Interrogatory 6: Identify and describe all documents relating to your response to Interrogatory No. 5, or in the alternative, provide access to such documents for copying.

Answer: The relevant documents are Universal's Complaint and Turro's Response.

Interrogatory 7: Identify all members of the staff of the FCC who have knowledge relating to your response to Interrogatory No. 5.

Answer: Loginow

Interrogatory 8: Identify all persons who are not members of the Commission's staff

known to you to have information relating to your response to Interrogatory No. 5.

Answer: Turro, Weis

Interrogatory 9: Identify and describe all technical analyzes of which you are aware relating to the operations of FM translator station W276AQ, Fort Lee, New Jersey, and W232AL, Pomona, New York.

Answer: The Bureau is aware of the technical analyzes performed in February, 1995, by the engineering firm of Cohen, Dippell and Everist, P.C., at the request of Universal. The report was furnished as an attachment to Universal's Complaint.

Interrogatory 10: Identify and describe all information known to you relating to the allegation in the HDO that Mr. Turro's operation of translator station W276AQ, Fort Lee, New Jersey, was in violation of Section 74.1231 of the Commission's Rules (47 CFR 74.1231).

Answer: See Bureau's answer to Interrogatory No. 1.

Interrogatory 11: Identify and describe all documents relating to your response to Interrogatory No. 10, or in the alternative, provide access to such documents for copying.

Answer: See Bureau's answer to Interrogatory No. 2.